

CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION  
Agenda

City of Whitewater Municipal Building  
312 W. Whitewater St., Whitewater, Wisconsin  
October 10, 2011  
6:00 p.m.

1.	Call to order and Roll Call.
2.	<b><u>Hearing of Citizen Comments.</u></b> No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Approval of the Plan Commission minutes of: September 12, 2011.
4.	Hold a public hearing for consideration of a conditional use permit to replace the freestanding sign for Sigma Sigma Sigma Sorority at 619 W. Main Street.
5.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission meeting – November 14, 2011.
6.	Adjournment

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Zoning Administrator, 312 W. Whitewater Street, Whitewater, WI, 53190 or [jwegner@whitewater-wi.gov](mailto:jwegner@whitewater-wi.gov).

The City of Whitewater website is: [whitewater-wi.gov](http://whitewater-wi.gov)

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater, WI 53190  
September 12, 2011

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

**Call to order and roll call.**

Chairperson Torres called the meeting of the Plan and Architectural Review Commission to order at 6:00PM.

Present: Torres, Binnie, Coburn, Dalee, Meyer, Henry (alternate)

Absent: Miller

Vacant Seat: Knedler

Others: Wallace McDonell (City Attorney), Mary Nimm (Interim Manager, Neighborhood Services), Scott Harrington (Vandewalle – City Planning)

**Hearing of Citizen Comments**

No formal Plan Commission action will be taken during this meeting ON CITIZEN COMMENTS although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

There were no citizen comments.

**Approval of the minutes of August 8, 2011**

Moved by Binnie and seconded by Coburn to approve the Plan Commission minutes of August 8, 2011. Motion approved by unanimous voice vote.

**Hold a public hearing for consideration of an amendment to the conditional use to allow for additions of a screen porch, three season room or an awning to be installed over the existing patios at the Village of Tripp (a/k/a Trippe) Lake Condos at 400 S. Rice Street for the Village of Tripp Lake Condo Association.**

Interim Manager Nimm explained that the Village of Tripp Lake Condo Association is requesting the change of their Conditional Use allow for a screen porch, three season room or awning over the existing 10x16 patio at the Village of Tripp Lake Condos. The conditional use approval will allow for any of the condo owners to apply for a permit to install one of the three per City Planning department approval.

There were no comments from the public regarding the requested change to the Conditional Use. Chairperson Torres closed the Public Hearing.

In a memo to the Commission, City Planning Consultant Mark Roffers made his recommendation, pending comments received at the Public Hearing, to approve both the conditional use permit and site plan submittal for the screen room, three-season porch, and retractable awning options for any unit within the Tripp Lake Condominium development, subject to the following conditions:

1. The options shall be as approved by the Plan and Architectural Review Commission on September 12, 2011. The three-season room and screen room options are substantially similar in appearance.
2. Subsequent installation of either of the three options on any of the condominium units shall require approval of the condominium association, if required by condominium documents, and a building permit, if required by the City Building Code.
3. All previous conditions of conditional use permit approval for the Tripp Lake Condominium “planned residential development” shall remain in effect.

Meyer questioned the measurements and dimensions of the screened porch height noting the need to create more of a pitch to prevent snow load issues.

Coburn questioned drainage.

McDonnell noted that change in the Conditional Use would give the Condo Association general approvals to allow each owner to apply for permits with staff review of each permit application.

Coburn commented that the additions to the condos will improve the living quality.

Harrington noted that each of the condos will typically deal with individual permits. Review of the applications will include structural components including snow load. He also noted that the back of the screen room unit is located under the existing eave with slope to front. Lastly he noted that there is room to drop the pitch as needed without impacting the end product.

Binnie moved approval subject to the conditions presented by Roffers. Dalee seconded. Motion approved by unanimous roll-call vote.

**Hold a public hearing for the consideration of a conditional use permit for E G Business Group Inc., Hale Evans, agent, to serve beer and liquor by the bottle or glass at 214 W. Whitewater Street.**

Interim Manager Nimm explained that Hale Evans would like a Class B Beer and Liquor license to serve Beer and Liquor by the glass at 214 W Whitewater Street (Hawk’s Nest). The property is zoned B-2 with no changes to zoning and currently is used as a bar. No food shall be served and no person under the age of 21 shall be allowed to enter.

There were no comments from the public regarding the requested change to the Conditional Use. Chairperson Torres closed the Public Hearing.

In a memo to the Commission, City Planning Consultant Scott Harrington made his recommendation, pending comments received at the Public Hearing, to recommend that the Plan and Architectural Review Commission approve the conditional use permit for the Hawk’s Nest bar, subject to the following conditions:

1. The conditional use permit shall run with the business owner and not the land. Any change in ownership will first require approval of a conditional use permit amendment.

2. The business shall operate in accordance with the applicant's email correspondence. This includes the prohibition of persons under the age of 21 at all times. Further, the business may open earlier than 3:00 pm (but no earlier than 6:00 am) a maximum of four times per calendar year.
3. Maximum occupancy shall be limited to that determined by the fire department. In addition, the establishment shall remain in compliance with all applicable fire code requirements at all times.
4. All signage shall comply with the City's sign ordinance. In addition, backlit, plastic signage shall be prohibited. City staff shall review and approve of all new and replacement signage prior to installation.

Coburn questioned the hours, asked for an explanation as to when and why Mr. Evans wished to be open at 6am and noted the Planning Consultant's recommendations be that 6am opening be permitted for no more than 4 times per calendar year.

Clint Evans introduced himself as managing Hawk's Nest and stated that he would like the hours of 6am to 2am hours for special occasions and to open early on Saturday's and Sunday's for football games. Evans also noted the desire to open at 6am for the occasions of St Patrick's Day and Homecoming and that he wouldn't be open at 6am for more than 4 occasions.

Henry questioned why open early and what hours on Sundays.

Evans requested that they be able to open at 10am or 11am for football on weekends, both Saturday and Sunday.

Binnie noted that the current license allows the business to open at 3pm and the Commission will have to consider other hours.

McDonell informed the Commission that it is important to keep in mind that there is a difference between 'open and close hours' and the service of alcohol hours which are governed by the state. He noted that the Commission can regulate general hours of operation.

Harrington noted that the hours of operation is narrative the previous owner provided for the same establishment and they listed hours of operation were roughly 3pm-2am. Harrington forwarded that narrative to the new owners. They responded with requesting the opening time at 6am (relative to St Patrick's Day).

Evans restated that the request is to be open Sa-Su at 10am and M-F at 3pm-2am/2:30am

Binnie stated that he not in favor of opening at 6am for more than the one day, St Patrick's Day.

Binnie moved approval with the recommendations of Planning Consultant except recommendation #2 be changed to indicate not opening earlier than 3pm Monday thru Friday, no earlier than 10am Saturday and Sunday, and opening on St Patrick's day no earlier than 6am. Coburn seconded.

Motion approved by unanimous roll-call vote.

**Hold a public hearing for consideration of a conditional use permit and plan approval for Fine Food Culture LLC., Tyler Sailsbery, member, to serve beer by the bottle or glass at 206/210 W. Whitewater Street (The Black Sheep restaurant).**

Interim Manager Nimm explained that she was approached by and has been working with Tyler Sailsbery for more than a month. Mr. Sailsbery would like to serve beer and wine by the glass at 206/210 W Whitewater Street, the Black Sheep Restaurant. Tyler Sailsbery, owner, wishes to bring fresh, local, fine dining to Whitewater. Property is zoned B-2 and proposes no zoning changes to the vacant space.

There were no comments from the public regarding the requested change to the Conditional Use. Chairperson Torres closed the Public Hearing.

In a memo to the Commission, City Planning Consultant Scott Harrington made these comments and recommendations regarding the request, pending comments received at the Public Hearing, to recommend the Plan and Architectural Review Commission approve the conditional use permit for the Black Sheep restaurant, subject to the following conditions:

1. The conditional use permit shall run with the business owner and not the land. Any change in ownership will first require approval of a conditional use permit amendment.
2. The business shall operate in accordance with the applicant's letter/operational plans included with his application, except for the proposed after-hours breakfast from midnight to 4:00 am. As an alternative, the establishment may open daily at 6:00 am for breakfast.
3. Maximum occupancy shall be as determined by the fire department and building inspector.
4. Future signage shall be consistent with that shown/described in the application materials and shall comply with the City's sign ordinance. In addition, backlit, plastic signage shall be prohibited. City staff shall review and approve of all new and replacement signage prior to installation.

Tyler Sailsbery introduced his intentions to bring good food to Whitewater. He wishes to bring local and fresh foods and offer the fine dining option. His desire to be open extended hours is to make sure the business is financially viable. Sailsbery stated that he has been operating out of the Fuzzy Pig as a method of testing his menu and business systems. He noted that he would like to apply for the sidewalk café permit and to handle potential litter concerns he previously purchased disposal containers for the building for the exterior.

Coburn questioned the menu options as well as questioned what menu options there would be for lunch and breakfast.

Sailsbery stated he will continue with a similar menu to what he's currently serving, but will try to adapt the lunch menu. He wishes to keep fine dining and noted it will be hard to serve

breakfast during standard breakfast hours under the fine dining notion. He wants to perhaps offer food at bar-time, a traditional breakfast food in the early morning hours.

Binnie stated that the applicant needs to deal with the concerns of the early morning hours and that he has minimal concern over litter and noise and that the Commission has allowed others to serve during those hours.

Coburn questioned the sign as illustrated in the application and stated that she would like to see a nicer sign.

Sailsbery stated that he likes the logo and his goal with the quality of the sign is to represent the interior and quality of the building and business.

Henry stated that she likes the initiative, is not in favor of the late night crowd, but that she recognizes the additional income potential.

Binnie motioned to approve the Conditional Use Permit with recommendations of the planner (Harrington) of except that #2 shall read “including” the afterhours breakfast but with the understanding that the approval of the afterhours breakfast could be revisited if there are issues with noise and litter.” Meyer seconded.

Motion approved by unanimous roll-call vote.

**Review and action on the proposed minor change to the previously approved Mulberry Glen Planned Community Development project to allow new signage for the Dean Clinic at 1305 W. Main Street for Graphic House Inc.**

Interim Manager Nimm explained the request is a minor change to the previously approved sign plans associated with Mulberry Glen Planned Community Development. The Dean Clinic is requesting to replace the existing monument sign and window sign to reflect the current business practice. The property is zoned as PCD and there are no proposed changes to the zoning. Neighbors to the Development are Sentry Foods and the Westsider gas station.

In a memo to the Planning Commission, City Planning consultant Mark Roffers recommended the Plan and Architectural Review Commission approve the proposed minor change to the previously approved Mulberry Glen PCD-SIP for the clinic at 1305 West Main Street, subject to the following conditions:

1. The signage shall be in accordance with the sign plan dated 6-23-11.
2. The applicant shall obtain a sign permit prior to construction of the new monument sign.
3. Aside from existing and proposed window signs, there shall be no signs mounted to the building.
4. Existing vegetation around the base of the monument sign shall either be maintained “as-is” or replaced if damaged during sign installation.

5. Internal sign lighting shall meet the City's exterior lighting standards within Section 19.57 of the zoning ordinance.
6. All 2002 conditions associated with the clinic's PCD-SIP plan approval shall remain in effect.

Coburn noted that the Development may have to take/shear the bushes down considerably to see the address as shown at the bottom of the sign.

Binnie motioned to approve the request to replace existing monument sign and window sign to reflect the current business practice, the Dean Clinic, at the Mulberry Glen Planned Community Development. Henry seconded.

Motion approved by unanimous roll-call vote.

**Review and action on the proposed two lot extra-territorial jurisdiction certified survey map for Mary Ellen Pope Revocable Trust, located in Section 12 along N. County Line Road in the Town of Lima.**

Interim Manager Nimm explained that at the August meeting, the Commission approved a CSM for the Mary Ellen Pope Property along County Line Road. Tonight's request brings the net change as required by the County that a 15-acre remnant parcel east of County Line Road under the same ownership be included as the second lot within the CSM. The CSM is within the City's extraterritorial jurisdiction, and is outside the City's sewer service area and planned growth area.

In a memo to the Plan Commission, City Planning Consultant Mark Roffers recommends that the Plan Commission re-approve this new CSM. While well within the City's extraterritorial jurisdiction, the CSM is outside of the City's sewer service area boundary and planned growth area. (And, as a legal matter, any City expansion into the Town of Lima/Rock County would require approval by both the town and county board.) In any case, He understands that no additional development beyond what has existed here historically would occur as result of the CSM. The integrity of the area as a planned "agricultural preservation area" as represented in city, town, and county plans would be maintained. He had reviewed the new version of the CSM and recommend its approval without conditions.

Binnie motioned to approve the new version of the CSM for the proposed two lot extra-territorial jurisdiction certified survey map for Mary Ellen Pope Revocable Trust, located in Section 12 along N. County Line Road in the Town of Lima. Coburn seconded.

Motion approved by unanimous roll-call vote.

**Appointment of Plan Commission member to the Steering Committee for the Zoning Code Re-Write.**

Interim Manager Nimm explained that they are looking for a Planning Commission representative to serve on the Zoning Code Re-Write Steering Committee. The committee member would be looking to attend 6-8 meetings over the next 10 months, meetings that could be as short as an hour and potentially as long as ½ day meetings.

Greg Meyer questioned the time of day for of the meetings and noted that he would serve and

participate if the meetings might be scheduled at 5pm and later.

Binnie motioned to appoint Greg Meyer to serve as the Planning Commission Representative to the Steering Committee for the Zoning Code re-write. Coburn seconded.

Motion approved by unanimous roll-call vote.

**Passenger Train Depot Restoration Update.**

Nimm explained that the Train Depot restoration exterior changes include:  
re-point and clean of the brick and stone masonry,  
rehab of the wood windows,  
re-paint exterior painted areas,  
install roof venting,  
re-create and install historic roof cresting.

The mandatory pre-bid meeting was on September 8<sup>th</sup> and the sealed bids are due September 19<sup>th</sup> and shall be opened at 2:00PM.

Coburn asked if, when tuck-pointing the brick and stone if there was the possibility to tint the mortar so that it blended with the old mortar.

**Possible future agenda items.**

Nimm invited the Commission to the CDA meeting on September 26, 2011 at 5:30. Nimm noted that there will be a discussion on the vacant parcels at the end of North Jefferson Street.

**Next regular Plan Commission meeting- October 10, 2011.**

Moved by Meyer and seconded by Dalee to adjourn at 6:45 PM. Motion was approved by unanimous voice vote.

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Chairperson Gregory Torres





**To:** City of Whitewater Plan and Architectural Review Commission  
**From:** Scott Harrington, AICP, City Planning Consultant  
**Date:** October 5, 2011  
**Re:** Conditional Use Permit Amendment to permit a new freestanding sign at the Sigma Sigma Sorority; 619 West Main St.

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### **Summary of Request**

**Requested Approval:** Conditional Use Permit Amendment

**Applicant:** Sigma Sigma Sigma Sorority tenant; DLK Enterprises (property owner)

**Existing Use:** Sorority House

**Location:** 619 West Main Street

**Current Zoning:** R-3, Multi-Family Residential District

**Future Land Use Designation:** Higher Density Residential

**Surrounding Zoning and Land Use:** **North:** I, UW Whitewater **East:** R-3, multi-family residential  
**South:** R-3, multi-family residential **West:** R-3, multi-family residential

### **Brief History of Project or Site:**

The Sigma Sigma Sigma Sorority currently occupies the site and has for some time. In the R-3 zoning district, sororities and fraternities require the approval of a conditional use, and presumably, a CUP was granted to this sorority at some point in the past. The sorority wishes to replace its existing freestanding sign with a similar sign in essentially the same location. Past practice of City staff has been to require properties with conditional use permits that seek changes, like signs, to receive approval of a conditional use permit amendment before issuing a sign permit.

### **Analysis of Proposed Project:**

The proposed sign doesn't constitute any type of a significant change in the nature of the use or the design/function of the site or building. The sign also conforms with all of the applicable standards for a use of this type found in Chapter 19.54, Sign Regulations.

### **Recommendation:**

Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit amendment for the Sigma Sigma Sigma Sorority to install a new freestanding sign as proposed.

### **New Zoning Code Considerations:**

As simple as this request is, it has revealed several ambiguities in the current zoning code that should be addressed in the ongoing code rewrite:

1. The code currently provides no guidance on the types of changes to an approved conditional use that require a formal amendment (review and approval by the Plan Commission and Council) versus those that can be approved administratively. As I understand it, past practice by City staff has been to require nearly all changes to receive a formal amendment. I suggest the new code differentiate between “minor” and “major” amendments and permit minor amendments (such as this request) to be approved administratively or perhaps by the Plan Commission similar to a site plan review.
2. Sec. 19.54.040 of the existing code contains requirements for signs in residential districts. For single family and multi-family developments, the regulations are fairly clear. However, the code provides a different set of standards for what it calls “institutional” uses. This is problematic because the term “institutional” is not defined in that section or anywhere else in the code nor is “institutional” used as some type of a general category in the lists of permitted and conditional uses that are provided for each zoning district. Even the Institutional zoning district does not provide a definition or much assistance with this. This then begs the question, is a sorority an institutional use? Such a classification is not unusual in other codes, but as someone new to the Whitewater code, I was not certain. I did find, however, a conditional use amendment application from last year for a fraternity, and part of that involved new signs. The staff report prepared by Mark Roffers of Vandewalle & Associates classified the use as institutional for determining the sign allowance, but the applicant provided a written response disputing that interpretation. For the purposes of Sec. 19.54.040, it is a very important to distinguish between multi-family, commercial, and institutional uses as multi-family and commercial uses are not permitted to have wall signs in the R-3 district and institutional uses are (and this sorority does). I’m now comfortable with the interpretation of sororities and fraternities being classified as institutional uses, but this matter should be clarified in the new code.
3. Table 19.54.052(1) requires wall signs in the Institutional zoning district (and those for institutional uses in Residential zoning districts) to be located no higher than the first floor level of the building. The subject sorority and several other sororities and fraternities in the City have signage located above this level, and it appears this has been the custom in the City for some time. This matter also should be addressed in the new code.



08/22/2011

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Neighborhood Services • Code Enforcement / Zoning and Department of Public Works  
312 W. Whitewater Street / P.O. Box 178, Whitewater, WI 53190  
(262) 473-0540 • Fax (262) 473-0549  
[www.ci.whitewater.wi.us](http://www.ci.whitewater.wi.us)

### NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 10th day of October, 2011 at 6:00 p.m. to hold a public hearing for the consideration of a conditional use permit to replace the freestanding sign for Sigma Sigma Sigma Sorority at 619 W. Main Street.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540

Mary Nimm, Zoning Administrator

/CL 00005  
JILL S ZIELINSKI  
115 S. BOONE CT  
WHITEWATER WI 53190

/CL 00010  
FIRST UNITED METHODIST CHURCH  
145 S. PRAIRIE ST  
WHITEWATER WI 53190

/CL 00019,19A  
DLK ENTERPRISES INC  
P. O. BOX 239  
WHITEWATER WI 53190

/FJ 00024  
DELTA ZETA SORORITY  
604 W. MAIN ST  
WHITEWATER WI 53190

/WUP 00101  
RICHARD W LANDSEE  
ROBERTA LANDSEE  
614 W. MAIN ST  
WHITEWATER WI 53190

/WUP 00104  
JAMES D UHRICH  
BRADLEY D LOWREY  
W7535 BLUFF RD  
WHITEWATER WI 53190

/WUP 00116  
BOARD OF REGENTS  
OF STATE COLLEGES  
800 W. MAIN ST  
WHITEWATER WI 53190

/WUP 00232  
D&R PARTNERSHIP LLC  
P O BOX 266  
WHITEWATER WI 53190

/WUP 00235  
JAMES D UHRICH  
BRADLEY D LOWREY  
W7535 BLUFF RD  
WHITEWATER WI 53190

/WUP 00238  
KACHEL 619 WEST MAIN, LLC  
P.O. BOX 239  
WHITEWATER WI 53190

/CL 00008  
HIRD RENTAL PROPERTIES, LLC  
% CHRISTOPHER C HIRD  
11925 W RAWSON AVENUE  
FRANKLIN WI 53132

/CL 00017  
PHILIP S UHRICH  
414 MIDDLESEX COURT  
BUFFALO GROVE IL 60089

/FJ 00025  
ADRIAN BAICA  
MALVINA F BAICA  
122 ESTERLY AVE  
WHITEWATER WI 53190

/WUP 00102  
JERALD WENDT  
NANCY WENDT  
622 W. MAIN ST  
WHITEWATER WI 53190

/WUP 00113  
BASSETT HOUSE  
WHITEWATER WI 53190

/WUP 00231,231A,233,234,239  
DLK ENTERPRISES  
141 W. WHITEWATER ST.  
PO BOX 239  
WHITEWATER WI 53190

/WUP 00236  
WHITEWATER DELTA CHI  
HOUSING CORP. INC.  
C/O LEWIS ROSSER PRESIDENT  
502 MUSTANG LN  
FOND DU LAC WI 54935

/WUP 00241,242  
MAIN STREET WHITEWATER LLC  
W9597 BREIDSAN HILL DR  
WHITEWATER WI 53190

/CL 00009  
LEE L DANIELS TRUST  
ROBERT F KANTIN TRUST  
3445 CEDAR DR  
PARK CITY UT 84098

/CL 00018  
KACHEL 150 SOUTH PRAIRIE, LLC  
P. O. BOX 239  
WHITEWATER WI 53190

/FJ 00001  
JOHN J TINCHER TRUST  
N1190 COUNTY HWY N  
WHITEWATER WI 53190

/WUP 00100E  
SANGER MARSH HOUSE LLC  
522 W. MAIN ST  
WHITEWATER WI 53190

/WUP 00103  
LADWIG & VOS INC  
140 LONGMEADOW DR  
BURLINGTON WI 53105

/WUP 00114  
JOHN B COLEMAN  
201 S. 21ST ST  
LA CROSSE WI 54601

/WUP 00243  
MERCY HOSPITAL OF JANESVILLE  
C/O VICE PRESIDENT OF FINANCE  
1000 MINERAL POINT AVENUE  
JANESVILLE WI 53545

/WUP 00237  
MARGARET A REED TRUST  
703 E. MILWAUKEE ST  
JANESVILLE WI 53545-3160

/WUP 00240  
DALE N STETTLER TRUST  
GAYLE M STETTLER TRUST  
PO BOX 657  
WHITEWATER WI 53190

**NOTICE:** The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 9:00 a.m. four weeks prior to the meeting. If not, the item will be placed on the next available Plan Commission meeting.

**CITY OF WHITEWATER  
CONDITIONAL USE PERMIT APPLICATION PROCEDURE**

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on 9-12-11.
2. Class 1 Notice published in Official Newspaper on 9-29-11.
3. Notices of the Public Hearing mailed to property owners on 9-27-11.
4. Plan Commission holds the PUBLIC HEARING on 10-10-11.  
They will hear comments of the Petitioner and comments of property owners.  
Comments may be made in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision.

**PLEASE COMPLETE THE FOLLOWING APPLICATION.**

Refer to Chapter 19.66 of the City of Whitewater Municipal Code of Ordinances, entitled CONDITIONAL USES, for more information on the application.

Twenty (20) complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the following plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the following plans is not submitted, the applicant should provide a written explanation of why it is not submitted.



## SITE PLAN SUBMITTAL REQUIREMENTS

This checklist must be completed before making application for a City of Whitewater Zoning/Building Permit. If not complete, the application will be returned to the owner and will not proceed until all information and forms are complete.

Drawings must be legible and drawn to scale not less than 1/4 inch per foot unless noted.

Address of Project 619 W. Main Street

Zoning of Property \_\_\_\_\_

1. **Site Plan**, including the location and dimensions of all buildings, parking, loading, vehicle and pedestrian circulation, signs, walls, fences, other structures, outdoor storage areas, mechanicals, and dumpsters. Adjacent streets and uses and methods for screening parking, loading, storage, mechanical, and dumpster areas should be shown. Statistics on lot area, green space percentage, and housing density should be provided. The Plan Commission encourages compliance with its adopted parking lot curbing policy.
2. **Natural Features Inventory Map**, showing the existing limits of all water bodies, wetlands, floodplains, existing trees with trunks more than 4 inches in diameter, and any other exceptional natural resource features on all or part of the site.
3. **Landscape Plan**, prepared by a professional, and showing an overhead view of all proposed landscaping and existing landscaping to remain. The species, size at time of planting, and mature size should be indicated for all plantings. Areas to be left in green space should be clearly delineated. The Plan Commission encourages compliance with its adopted landscaping guidelines, available from the Zoning Department.
4. **Grading and drainage plan**, meeting the City's stormwater management ordinance if required. The plan should show existing and proposed surface elevations on the site at two foot intervals or less, and proposed stormwater management improvements, such as detention/retention facilities where required. Stormwater calculations may be required.
5. **Utilities plan**, showing locations and sizes of existing and proposed connections to sanitary sewer, water, and storm sewer lines, along with required easements. Sampling manholes may be required for sanitary sewer. The City's noise ordinance must be met.
6. **Building elevations**, showing the dimensions, colors, and materials used on all sides of the building. The Plan Commission encourages variety and creativity in building colors and architectural styles, while respecting the character of the surrounding neighborhood.
7. **Sign plan**, meeting the City's sign ordinance, and showing the location, height, dimensions, color, materials, lighting and copy area of all signage.
8. **Lighting plan**, meeting the City's lighting ordinance, and showing the location, height, type, orientation, and power of all proposed outdoor lighting—both on poles and on buildings. Cut sheets and photometric plans may be required for larger projects.

**9. Floor plan** which shows:

A. The size and locations of:

- 1) Rooms;
- 2) Doors;
- 3) Windows;
- 4) Structural features – size, height and thickness of wood, concrete and/or masonry construction;
- 5) Exit passageways (hallways) and stairs (including all stair dimensions – riser height, tread width, stair width, headroom and handrail heights);
- 6) Plumbing fixtures (bathroom, kitchen, etc.) – lavatory, water closet, water heater, softener, etc.;
- 7) Chimney(s) – include also the type of construction (masonry or factory built);
- 8) Heating equipment;
- 9) Cooling equipment (central air conditioning, if provided);
- 10) Attic and crawl space access;
- 11) Fire separation between dwelling and garage; and
- 12) Electrical service entrance/transformer location.

**10. Elevation drawings** which show:

- A. Information on exterior appearance (wood, stone, brick, block, colors);
- B. Indicate the location, size and configuration of doors, windows, roof chimneys and exterior grade level.
- C. Indicate color of Trim \_\_\_\_\_, Siding \_\_\_\_\_, Roofing \_\_\_\_\_.
- D. Electrical service entrance/transformer location.

**11. Type of Project:**

- A. Single family;
- B. Duplex;
- C. Multifamily # units \_\_\_\_\_;  
Condominium # units \_\_\_\_\_;  
Sorority # units \_\_\_\_\_;  
Fraternity # units \_\_\_\_\_;
- D. Office/Store;
- E. Industrial;
- F. Parking lot # of stalls \_\_\_\_\_;
- G. Other;



City of Whitewater  
Application for Conditional Use Permit

**IDENTIFICATION AND INFORMATION ON APPLICANT(S):**

Applicant's Name: Sigma Sigma Sigma Sorority  
Applicant's Address: 619 W Main Street  
Whitewater, WI 53190 Phone # 262-894-7725

Owner of Site, according to current property tax records (as of the date of the application):

DLK Enterprises  
Street address of property: 619 W. Main Street  
Legal Description (Name of Subdivision, Block and Lot or other Legal Description):  
Rental property - sorority house

**Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)**

Name of Individual: Karen Cartwright  
Name of Firm: Alpha Xi Chapter of Tri Sigma Alumni Housing Corp.  
Office Address: 3565 Rivershire Dr. #7  
Greenfield WI 53228 Phone: 262-894-7725

Name of Contractor: \_\_\_\_\_  
Has either the applicant or the owner had any variances issued to them, on any property? YES NO  
If YES, please indicate the type of variance issued and indicate whether conditions have been  
complied with.

**EXISTING AND PROPOSED USES:**

**Current Land Use**

Principal Use: \_\_\_\_\_  
Accessory or Secondary Uses: sorority

**Proposed Use (Describe need for conditional use)**

Replacing old sign

Number of occupants proposed to be accommodated: \_\_\_\_\_ Number of employees: \_\_\_\_\_

Zoning District in which property is located: \_\_\_\_\_

Section of City Zoning Ordinance that identifies the proposed land use as a Conditional Use in the

Zoning District in which the property is located: \_\_\_\_\_

### PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

### PLOT PLAN

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

### STANDARDS

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduces value of other property.	
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	install new 36"x60" sign in front of house ( <sup>see</sup> sign plan) replaces existing sign
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance.	
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	

### CONDITIONS

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. Conditions can deal with the points listed below. Be aware that there may be discussion at the Plan Commission in regard to placement of such conditions upon your property. You may wish to supply pertinent information.

"Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan and Architectural Review Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

"Conditional Uses" may be subject to time limits or requirements for periodic reviews where such requirements relate to review standards.

Karen Cartwright 9/11/11  
Applicant's Signature Date

### **APPLICATION FEES:**

*Fee for Conditional Use Application: \$100*

Date Application Fee Received by City 9-12-11 Receipt No. 6.009440

Received by J. Wegner

### **TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE**

Date notice sent to owners of record of opposite & abutting properties: 9-27-11

Date set for public hearing before Plan & Architectural Review Board: 10-10-11

### **ACTION TAKEN:**

Conditional Use Permit ☐ Granted ☐ Not granted by Plan & Architectural Review Commission

**CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Plan Commission Chairman

\_\_\_\_\_  
Date

## Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

### Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Applicant's Information:

Name of Applicant:

Karen Cartwright

Applicant's Mailing Address:

3565 S. Rivershire Dr #7  
Greenfield WI 53228

Applicant's Phone Number:

(262) 894-7725

Applicant's Email Address:

cartwright.karen@gmail.com

Project Information:

Name/Description of Development:

Tri Sigma Sorority

Address of Development Site:

619 W. Main St.

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

DLK Enterprise Inc.

Property Owner's Mailing Address:

144 N. Tratt Street  
Whitewater WI 53190



## Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the City's Neighborhood Services Director -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

- A. Application Fee.....\$ 100.00
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B) .....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

## Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.

Karen Cartwright  
Signature of Applicant/Petitioner

Karen Cartwright  
Printed Name of Applicant/Petitioner

9/11/11  
Date of Signature

Mike Kachel  
Signature of Property Owner (if different)

Mike Kachel D.L.K. Enterprises, Inc.  
Printed Name of Property Owner (if different)

9.12.11  
Date of Signature

**Tri-Sigma Sorority**

Design Proof

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Upon approval sign and fax form to: 262-432-1331  
Any questions please call us at: 262-432-1330

Production can not begin until we receive your written authorization that your proof is accurate. Delays in receiving your approval will result in delayed production times.

**SIGMA  
SIGMA  
SIGMA**

**Alpha XI Chapter  
est. 1932**

**Size: 36" x 60"**

**Type: Alupalite**

**Material: Digital Print**

**Info:**

**Color Info:**



**Match GLV03**



**White**



[www.innovative-signs.com](http://www.innovative-signs.com)

**INNOVATIVE SIGNS, INC. - 21795 Doral Road, Suite B, Waukesha, WI 53186 - p: 262-432-1330 - f: 262-432-1331**

○ = trash can

